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March 3, 2008

Via Electronic Case Filing

Hon. Ronald M. Whyte
United States District Court
Courtroom 6, 4th Floor
280 S. First Street
San Jose, CA 95113

Re: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
Case No. C07 04330 RMW (HRL)

Dear Judge Whyte:

Today, Plaintiffs filed an *ex parte* letter with this Court. It is Defendants understanding that such communication is improper under the FRCP, the Local Rules of this Court, as well as the existing protective order. We ask the court to clarify whether existing rules apply to this case, or if the Court has granted waiver.

We have communicated about some, but not all, of the issues raised in Plaintiffs letter. In light of the rules we think apply, we thought it inappropriate to argue before you with letters.

Thank you for your consideration of this matter.

Sincerely,

Kevin M. Pasquinelli
Mount & Stoelker
Attorneys for Defendants

/s/

Cc: Melinda Morton,
Jay Fowler
By email (email is acceptable service of process as previously agreed by the parties)